

130002057

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-1117-2625

ELECTIONS: UNIT N-0 (*Well N0*)
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 19, 2009 which was recorded at Document 130000464 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on March 15, 2013, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit N-0;

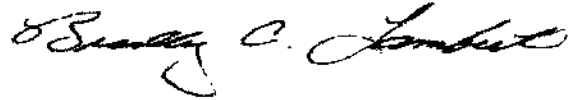
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2, above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.


DONE AND EXECUTED this 7 day of October, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th day of October, 2013, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017


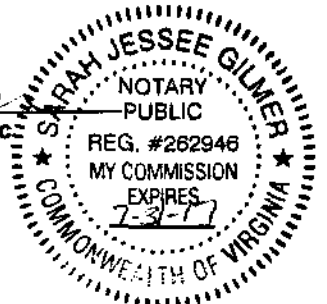
DONE AND PERFORMED this 8 day of October, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 8th day of October, 2013, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit N-0
VGOB 09-1117-2625 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on November 19, 2009, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on March 15, 2013;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of November 19, 2009;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

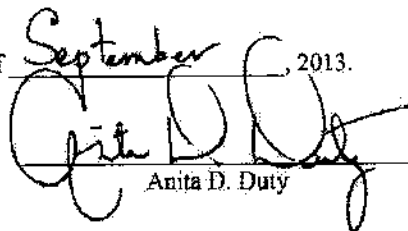
Robert G. Boyd

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

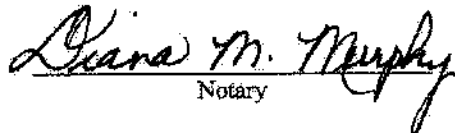
That pursuant to the provisions of VAC 25-160-70.A.10. and C, and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 24th day of September, 2013.

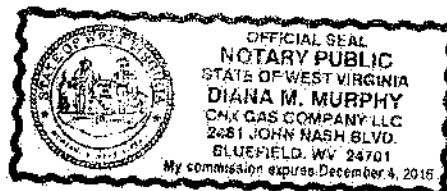

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 24th day of September, 2013.


Notary

My commission expires: December 4, 2016



Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.

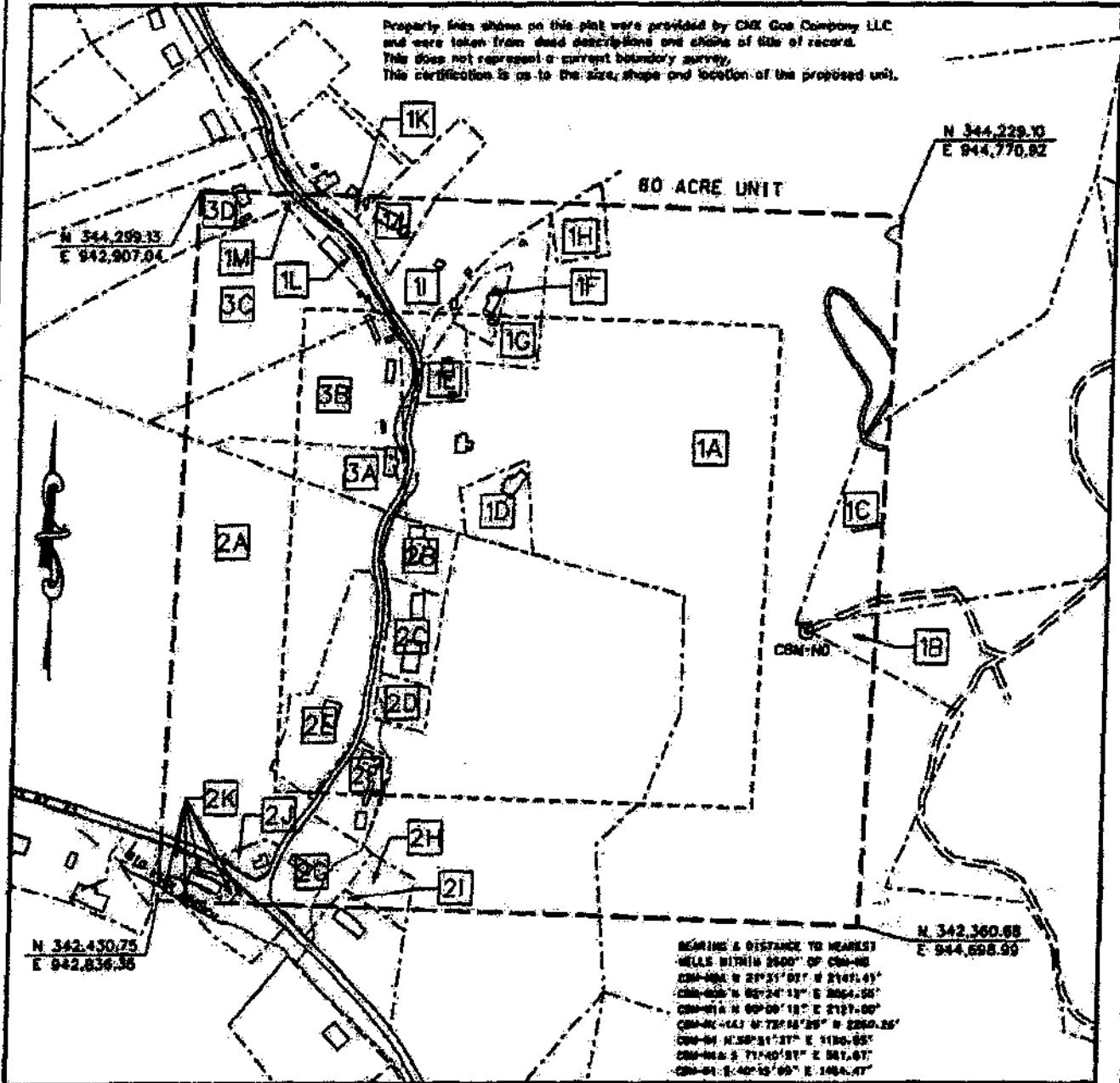


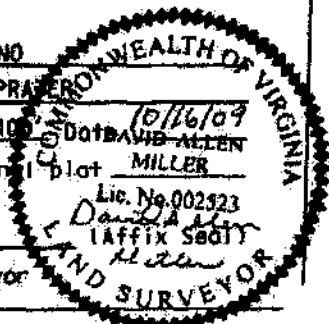
EXHIBIT A
OAKWOOD FIELD
UNIT NO
FORCE POOLING
VG08-09-1117-2625

Company CNX Gas Company LLC Well Name and Number UNIT NO
Tract No. Elevation Quadrangle PRATER
County BUCHANAN District PRATER Scale: 1" = 400'
This plat is a new plat X : on an updated plat : or a final plat

Form DGO-60-7
Rev. 9/91

David Allen Miller

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit N 0

Tract Identification

1. Consolidation Coal Company, et al, Big Vein Tract 59 (312.40 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal below the Tiller Seam Leased
Jewell Smokeless Coal Corp. – Tiller and Above Coal Leased
Highland Resources, Inc./North American Resources Corporation, et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberlands, L.P., et al – CBM
CNX Gas Company LLC – CBM leased
39.36 acres 49.2000%
- 1A. Rosa L. Childress, et al – Surface Owner
1B. Unknown Surface Owner
1C. Roger L. Davis, et ux – Surface Owner
1D. Judith A. Childress – Surface Owner
1E. Howard D. Bell, Jr., et ux – Surface Owner
1F. Christopher J. Adkins – Surface Owner
1G. Christopher J. Adkins – Surface Owner
1H. Franklin R. Stevenson, et ux – Surface Owner
1I. Terry Lee Owens – Surface Owner
1J. Unknown Surface Owner
1K. Earl Looney, et ux – Surface Owner
1L. Brady L. Bostic, et ux – Surface Owner
1M. Robert H. Deel – Surface Owner
2. Consolidation Coal Company (194.84 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Island Creek Coal Company/Consol Energy – Coal Below Tiller Seam Leased
Highland Resources, Inc./North American Resources Corporation – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased
Plum Creek Timberlands, L.P. – CBM
CNX Gas Company LLC – CBM Leased
32.44 acres 40.5500%
- 2A. CNX Gas Company LLC (50%) / Island Creek Coal Company (50%) – Surface
2B. Unknown Surface Owner
2C. Unknown Surface Owner
2D. Unknown Surface Owner
2E. Bobby J. Looney – Surface Owner
2F. Unknown Surface Owner
2G. Unknown Surface Owner
2H. Unknown Surface Owner
2I. Unknown Surface Owner
2J. Unknown Surface Owner
2K. James L. Skeens, et ux – Surface Owner

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

3. Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al – 86.00 Acre Tract) – Coal (Except % of Widow Kennedy and Above Coal Seams)
Rual Fuller/National Energy Corp. (%) of Widow Kennedy and Above Coal Seams
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased (94.44%)
Alpha Land and Reserves, LLC – (%) Coal in Blair Seam and Above Leased
Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al) – Oil and Gas (97.88% Ownership)
CNX Gas Company LLC – Oil and Gas (2.1180% Ownership)
CNX Gas Company LLC – (94.6072%) Oil, Gas and CBM Leased
8.20 acres 10.2500%
- 3A. Bill R. Vandyke, et ux – Surface Owner
- 3B. Franklin R. Stevenson, et ux – Surface Owner
- 3C. Brady L. Bostic, et ux – Surface Owner
- 3D. Robert H. Deel – Surface Owner

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit B-2
Unit N-0
Docket #VGOB 09-1117-2625
List of all Owners/Claimants to be dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL OWNERSHIP			
<u>Tract #3 - 8.20 acres</u>			
F.M.F. Boyd Heirs, etal. (86.00 Acre Tract)	8.20 acres	10.2500%	
(12) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns (1/72)			
(k) Robert G. Boyd 1082 Ardue and Jane Road Vansant, VA 24656	0.0095 acres 1/864 of 8.20 acres	0.0119%	Leased
II. OIL & GAS OWNERSHIP			
<u>Tract #3 - 8.20 acres</u>			
F.M.F. Boyd Heirs, etal. (86.00 Acre Tract)	8.20 acres	10.2500%	
(12) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns (1/72)			
(k) Robert G. Boyd 1082 Ardue and Jane Road Vansant, VA 24656	0.0095 acres 1/864 of 8.20 acres	0.0119%	Leased

Exhibit B-3
Unit NO
Docket #VGOE-09-1117-2625
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
I. COAL OWNERSHIP		
<u>Tract #3, 8.20 acres</u>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	8.20 acres	10.2500%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0658 acres 1/147 of 8.20 acres	0.0697%
(b) Kilby Boyd c/o Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0556 acres 1/147 of 8.20 acres	0.0697%
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 25508	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.0221 acres 7/2592 of 8.20 acres	0.0277%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook RL5 Box 535 Grundy, VA 24614	0.0285 acres 1/288 of 8.20 acres	0.0356%
(j.4) Ervil Cook Heirs, Devisees, Successors or Assigns		
(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.0095 acres 1/864 of 8.20 acres	0.0119%
(j.4.1) Ervil Cook, Jr. 401 Chalan Guma Yuus Court Sinajala, Guam 96926	0.0095 acres 1/864 of 8.20 acres	0.0119%
(j.4.1) Ursula Cook Address Unknown	0.0096 acres 1/864 of 8.20 acres	0.0119%
(L6) Estil Boyd Heirs, Devisees, Successors or Assigns		
(L6.1) Katherine Boyd 118 Villa Lane Taylorsville, NC 28681	0.0095 acres 1/864 of 8.20 acres	0.0119%
(S) Leah Victoria Barton Heirs, Devisees, Successors or Assigns		
(b) Hazel Barton Heirs, Devisees, Successors or Assigns		

Exhibit B-3
Unit NO
Docket #VGOB 09-1117-2625
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(b.1) Henry M. Barton P.O. Box 165 Vansant, VA 24656	0.0167 acres 1/490 of 8.20 acres	0.0209%
(d) Marvin Barton 127 Vine Drive Yorktown, VA 23692	0.0167 acres 1/490 of 8.20 acres	0.0209%
II. OIL & GAS OWNERSHIP		
<u>Tract #3, 8.20 acres</u>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	8.20 acres	10.2500%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0558 acres 1/147 of 8.20 acres	0.0697%
(b) Kilby Boyd c/o Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0558 acres 1/147 of 8.20 acres	0.0697%
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.0095 acres 1/864 of 8.20 acres	0.0119%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.0221 acres 7/2592 of 8.20 acres	0.0277%
(i) Mary Boyd Cook Heirs, Devisees, Successors or Assigns.		
(i.2) Lloyd Cook Rt. 5 Box 535 Grundy, VA 24614	0.0285 acres 1/288 of 8.20 acres	0.0356%
(i.4) Ercil Cook Heirs, Devisees, Successors or Assigns		
(i.4.1) Mark Cook PO Box 1732 Monaker, VA 24260	0.0095 acres 1/864 of 8.20 acres	0.0119%
(i.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.0095 acres 1/864 of 8.20 acres	0.0119%
(i.4.1) Ursula Cook Address Unknown	0.0095 acres 1/864 of 8.20 acres	0.0119%
(i.6) Estil Boyd Heirs, Devisees, Successors or Assigns		

Exhibit B-3
Unit N0
Docket #VGOB-09-1117-2626
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(J.B.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0095 acres 1/864 of 8.20 acres	0.0119%
(9) Leah Victoria Barton Heirs, Devisees, Successors or Assigns		
(b) Hazel Barton Heirs, Devisees, Successors or Assigns		
(b.1) Henry M. Barton P.O. Box 165 Vansant, VA 24666	0.0167 acres 1/490 of 8.20 acres	0.0209%
(d) Marvin Barton 127 Vine Drive Yorktown, VA 23692	0.0167 acres 1/490 of 8.20 acres	0.0209%
<u>TOTAL UNLEASED:</u>		
	Acres in Unit 0.26	
	Percentage of Unit	0.3276%

Exhibit E
Unit N-0
Docket #VGOB 09-1117-2625
List of Unknown/Unlocatable Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #3 - 8.20 acres</u>		
<i>Escrow due to Unknown / Unlocatable</i>		
<u>COAL OWNERSHIP</u>		
F.M.F. Boyd Heirs, etal. (86.00 Acre Tract)	8.20 acres	10.2500%
<u>(A) F.M.F. Boyd Heirs, Devisees, Successors or Assigns</u>		
Marion Rendue Boyd Heirs, Devisees, Successors or Assigns (1/6)		
(10) Mary Boyd Cook Heirs, Devisees, Successors or Assigns (1/72)		
(c) Ervil Cook Heirs, Devisees, Successors or Assigns (1/288)		
(c.3) Ursula Cook Address Unknown	0.0095 acres 1/864 of 8.20 acres	0.0119%
<u>OIL & GAS OWNERSHIP</u>		
F.M.F. Boyd Heirs, etal. (86.00 Acre Tract)	8.20 acres	10.2500%
<u>(A) F.M.F. Boyd Heirs, Devisees, Successors or Assigns</u>		
Marion Rendue Boyd Heirs, Devisees, Successors or Assigns (1/6)		
(10) Mary Boyd Cook Heirs, Devisees, Successors or Assigns (1/72)		
(c) Ervil Cook Heirs, Devisees, Successors or Assigns (1/288)		
(c.3) Ursula Cook Address Unknown	0.0095 acres 1/864 of 8.20 acres	0.0119%
<u>TOTAL CONFLICTS:</u>		
Acreage in Unit	0.0095	
Percentage of Unit		0.0119%

INSTRUMENT #136002057
RECORDED IN THE CLERK'S OFFICE OF
SUCHMAN COUNTY OK
OCTOBER 21, 2013 AT 01:30PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGG